

EXHIBIT 224

6. Third, the “audit” was not a risk-limiting audit. By definition, a risk-limiting audit has a known minimum chance of correcting the reported election outcome if the reported outcome is wrong. However:
- a. Auditing in Fulton County alone cannot make such a guarantee: that requires a statewide audit, because the contests are statewide.
 - b. The “audit” relied on many “remade” or “duplicated” ballots. Supplemental Declaration of Rhonda J. Martin, 23 August 2020, at ¶¶5–11, 15–16, 24–25. Errors in remaking ballots would not be detected by this “audit.” Indeed, this “audit” *assumed* there were no errors in the duplication process, rather than checking whether duplication errors, if any, might have contributed to altering the reported outcome.
 - c. The “audit” relied on BMD printout. Errors in the BMD printout would not be detected by this audit and cannot be detected by *any* audit.²
 - d. To the best of my knowledge, no steps were taken to ensure that the collection of ballots subject to audit was trustworthy. In particular, the numbers fed into the software for total ballots and votes for the various candidates disagree with those posted on the SOS website. Supplemental Declaration of Rhonda J. Martin, 23 August 2020, at ¶¶18, 31.

² Appel, A.W., R. DeMillo, and P.B. Stark, 2020. Ballot-Marking Devices Cannot Ensure the Will of the Voters, *Election Law Journal*, DOI [10.1089/elj.2019.0619](https://doi.org/10.1089/elj.2019.0619). Appel, A.W. and P.B. Stark, 2020. Evidence-Based Elections: Create a Meaningful Paper Trail, Then Audit, *Georgetown Law Technology Review*, 4, 523–541.

e. The “audit” was conducted after the election results were certified. I understand that therefore, under Georgia law, it had no possibility of correcting the reported outcome if the reported outcome was wrong.

7. Fourth, the “audit” did not follow “established procedures agreed upon by national voting-integrity experts.” The consensus document on post-election audits is entitled “Principles and Best Practices for Post-Election Tabulation Audits”³ (*Principles* henceforth). *Principles* has been endorsed by the following entities:

- American Statistical Association
- Brennan Center for Justice
- Center for Democracy and Technology
- Center for Internet Security
- Citizens for Election Integrity Minnesota
- Common Cause
- Connecticut Citizen Election Audit
- Florida Voters Foundation
- Georgians for Verified Voting
- National Election Defense Coalition
- Protect Democracy
- Public Citizen
- Verified Voting Foundation

8. Here are some (not all) of the principles and best practices that the June, 2020, Fulton County “audit” did not follow:

a. “The audit treats as authoritative only marks on paper that the voter could verify. It does not rely upon the accuracy of [] remade ballots or other unverified products of the election system [] Remade (or duplicated) ballots cannot be verified by the voter, so only the originals can be used in the audit.” *Principles*, at

³ <https://www.verifiedvoting.org/wp-content/uploads/2019/01/Audit-Principles-Best-Practices-2018.pdf> last visited 27 July 2020.

Executed on this date, 23 August 2020.

A handwritten signature in black ink, appearing to read "Philip B. Stark", is written over a horizontal line.

Philip B. Stark